

September 26, 2022
ARDR
(117)

WPA 12943 of 2022

Lal Mohan Santra
Vs.
The Union of India & Ors.

Mr. Joyak Kumar Gupta,
Mr. Nandadulal Bandyopadhyay,
...for the petitioner.
Ms. Rini Bhattacharyya,
...for the DFCCI.
Mr. Rabindra Narayan Dutta,
Mr. Hare Krishna Halder,
...for the respondent no.6.
Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee,
...for the State.

Heard learned counsels for the parties.

On prayer of the petitioner, the Additional District Magistrate (Land Acquisition) be read as the 6th respondent in place and stead of Additional District Magistrate (LA-cum-Special land Acquisition Officer).

The cause title of the writ petition be amended accordingly.

None appears for the private respondent despite service.

The petitioner claims to be running a Tailoring Shop in the plot in question which has been acquired by virtue of a notification published on 14th August, 2015 by the Railway Board for construction of railway project by the Eastern Dedicated Freight Corridor Corporation of India Limited. It is submitted on behalf of the petitioner that compensation for the land has been paid to the owner of

the land/awardee but no compensation has been paid to the petitioner for the structure standing thereon. The petitioner seeks liberty to submit a comprehensive representation before the concerned authority ventilating his grievance and prays for a direction upon the authority to consider the representation at the earliest.

Learned counsels for the respondents submit that the 6th respondent be directed to consider the representation in accordance with law.

In view of the above the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation ventilating his grievance before the 6th respondent within seven days from date. The 6th respondent is directed to consider and dispose of the representation within two months from the date of receipt thereof after affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

With the above directions, WPA 12943 of 2022 is disposed of. There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)